

**MINUTES**  
**REGULAR MEETING**  
**STEPHENS COUNTY BOARD OF COMMISSIONERS**  
**APRIL 10, 2007**

Commissioner Peeples called the meeting to order at 5:30 p.m. and welcomed those present. Marshal Dan Merck gave the Invocation and led the Pledge of Allegiance.

**PRESENT:** Commissioners Kenneth Peeples, Rex Anderson, and Harold Andrews; County Administrator Darrell Hampton; Finance Director Phyllis Ayers; County Clerk Donna Patterson; County Attorney Brian Ranck.

**I. APPROVE AGENDA**

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the agenda as presented.

**Motion carried unanimously.**

**II. APPROVE MINUTES**

1. MARCH 06, 2007 CALLED MEETING
2. MARCH 13, 2007 REGULAR MEETING
3. MARCH 19, 2007 CALLED MEETING
4. MARCH 27, 2007 REGULAR MEETING

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the minutes as presented.

**Motion carried unanimously.**

**III. OLD BUSINESS**

1. CARNES CREEK FIRE DEPARTMENT  
REQUEST TO TRANSFER A VEHICLE

Chairman Peeples stated that Carnes Creek Fire Chief James Coleman has requested approval to utilize a M7 vehicle - which is currently parked at the County shop and not in use. Utilization of this unit will designate a rehabilitation/staging area for firefighters and transport necessary equipment and personnel to fire scenes.

Administrator Hampton stated that he had gotten a verbal report from staff that it would cost between \$2500 to \$3000 to get the truck back to the condition it was in when it was transferred to the shop. It would cost another \$4000 to \$6000 to get the truck back to a serviceable condition.

The Commission agreed with the use and need as requested, but a replacement vehicle may be a more practical solution.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, for Administrator Hampton to investigate and see if there are more viable options.

**Motion carried unanimously.**

2. ROSE LANE RECREATION COMPLEX  
FOOD AND BEVERAGE AGREEMENT

Chairman Peeples stated the bid was awarded to Grady Duncan at the March 13, 2007 Commission Meeting. At that time, the County Attorney was instructed to draft an agreement based on the Request For Proposal and the awarded bid.

Attorney Ranck presented the Food and Beverage Agreement.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the agreement as presented and, further, to authorize the Chairman and County Clerk to execute said agreement.

**Motion carried unanimously.**

A copy of the agreement is entered and shown as **Exhibit 'A,'** being made a part of these minutes.

3. AMEND INTERGOVERNMENTAL AGREEMENTS  
CITY OF TOCCOA / SPLOST II & SPLOST III FUNDS

Attorney Ranck stated that he has spoken with City Attorney John Dickerson regarding the Intergovernmental Agreements concerning SPLOST II and SPLOST III funds. At this time, the City of Toccoa has procedures in place for requesting these funds. Until the funds are requested, there is no action necessary from the County Commission.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to table this item indefinitely.

**Motion carried unanimously.**

**IV. NEW BUSINESS**

1. HEALTH SERVICES AGREEMENT / STEPHENS COUNTY  
CORRECT-HEALTH STEPHENS, LLC

Administrator Hampton explained that this is a Health Services Agreement between Stephens County and CorrectHealth Stephens, LLC for the provision of medical care for inmates and detainees at the Stephens County Jail. The current agreement ends April 30, 2007.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the agreement as presented and, further, to authorize the Chairman and County Clerk to execute said agreement.

**Motion carried unanimously.**

A copy of the agreement is entered and shown as **Exhibit 'B,'** being made a part of these minutes.

2. FOOD PREPARATION AGREEMENT / VALLEY SERVICES, INC.  
# 4240 STEPHENS COUNTY JAIL

Chairman Peeples explained that Valley Services, Inc. currently provides meals to inmates at the Stephens County Jail. They are requesting approval of Agreement #4240 to continue services.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the agreement as presented and, further, to authorize the Chairman and County Clerk to execute said agreement.

**Motion carried unanimously.**

A copy of the agreement is entered and shown as **Exhibit 'C,'** being made a part of these minutes.

3. DEPT. OF VETERANS SERVICES RENTAL AGREEMENT #1353  
\$1 PER YEAR / OFFICE SPACE JULY 1, 2007 - JUNE 30, 2008

Chairman Peeples stated that the Department of Veterans Services has requested approval of Rental Agreement #1353. This is for approximately 196 sq. ft. of office space located at 101 W. Tugalo St., Courthouse Annex Extension, Suite 100, in the amount of a dollar per year.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the agreement as presented and, further, to authorize the Chairman and County Clerk to execute said agreement.

**Motion carried unanimously.**

A copy of the agreement is entered and shown as **Exhibit 'D,'** being made a part of these minutes.

4. RESOLUTION / WORKER'S COMPENSATION INSURANCE

Administrator Hampton stated that this resolution authorizes certain volunteer firefighters, rescue workers, and elected officials of Stephens County to be insured under the County's worker's compensation insurance. Prior to this, the elected officials were not insured.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to approve the resolution as presented.

**Motion carried unanimously.**

A copy of the resolution is entered and shown as **Exhibit 'E,'** being made a part of these minutes.

5. LITTER COMPLAINT / DAVID DUERR

Administrator Hampton explained that David Duerr requested to be on the agenda tonight to voice complaints about litter in Stephens County. Mr. Duerr was not present at tonight's meeting.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to table this item indefinitely.

**Motion carried unanimously.**

6. PANDEMIC FLU EPIDEMIC PLAN

Commissioner Anderson personally thanked everyone involved in the development of the pandemic flu planning project. He stated that this was a volunteer effort requiring personal time and input from County employees and a large group of citizens from the community. He especially wanted to express appreciation to EMA Director Becky Wall for all of her hard work.

Administrator Hampton stated that Commissioner Anderson has been a leader and played a significant roll in the progress of this project.

Chairman Peebles also expressed his appreciation to all involved.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson,

to authorize Director Wall to submit the Pandemic Flu Epidemic Plan to the Health Department.

**Motion carried unanimously.**

**V. INVOICES OVER \$5000**

1. GEORGIA FIRE & RESCUE SUPPLY, LLC / \$18,266.50

Administrator Hampton explained that the Martin Fire Department has requested payment to Georgia Fire & Rescue Supply for one pump \$8195.00; one spreader \$5071.50; and one cutter \$5000.00. The total bill is \$18,266.50 and funds are available in their budget.

A motion was made by Commissioner Andrews, seconded by Commissioner Anderson, to approve the expenditure as presented.

**Motion carried unanimously.**

**VI. MATTERS FROM DEPARTMENTS**

1. FINANCE REPORT

Finance Director Phyllis Ayers gave a brief financial report. She stated that the County is doing well at this time. The SPLOST revenues are down a little, but still on target.

2. ROAD SUPERINTENDENT POSITION

Administrator Hampton is checking other sources in the continued search for a Road Superintendent.

3. ANNOUNCE MEETINGS

Administrator Hampton stated that Peter Brown Construction did not receive any electrical bids for the jail project; therefore they had to schedule a second electrical bid opening in Florida for April 12, 2007.

Chairman Peeples announced a 'Called Meeting' for April 17, 2007 at 12:00 noon to review the 'Guaranteed Maximum Price' for the new jail.

Administrator Hampton stated that the deadline for submitting dump truck bids for the Road Department is April 27, 2007 at 10:00 a.m.

Administrator Hampton announced that the regularly scheduled meeting for April 24<sup>th</sup> has been changed to a Called Meeting on May 1, 2007. The Work Session will be at held at 9:30 a.m. and the Called Meeting will be held at 10:00 a.m.

Chairman Peebles encouraged everyone to attend the 'Great American Clean-up' this Saturday, April 14<sup>th</sup> at 9:00 a.m. This is a volunteer effort to assist with cleaning-up litter in Toccoa/Stephens County.

#### 4. E911 UPDATE

Administrator Hampton stated that in excess of 600 private drive signs have been removed from Stephens County.

E911 Deputy Director Rex Nelms explained that all the unnecessary private signs would need to be removed before the maps can be printed. The database should be completed within a month.

Administrator Hampton stated that he has received a report from County E911 Consultant Barry Church listing items that need to be addressed in the E911 department. Mr. Hampton will be meeting with Deputy Director Rex Nelms tomorrow to discuss these issues.

After meeting with Mr. Nelms, Administrator Hampton stated that he will submit a report to the Commission listing what items have been completed and any further actions that are necessary to insure that the E911 department is running as efficiently and effectively as possible.

The recommendations of Barry Church are entered and shown as **Exhibit 'F,'** being made a part of these minutes.

### **VII. MATTERS FROM CITIZENS**

#### 1. STREAM BUFFERS

Fred Finley, a Stephens County resident, came forward and briefed those present of a meeting he recently attended concerning proposed stream buffer requirements. He is against the revisions the Environmental Protection Division is trying to impose.

Commissioner Anderson, who has also been attending meetings, stated that one citizen who spoke against the requirements posted a map of his property consisting of an 80+ acre farm and showed how certain buffer amendments – if adopted – would take away use of approximately 35 acres of his property. However, he would still be required to pay taxes on the property.

Stephens County Commissioners have been working diligently against the proposed changes.

The public will have an opportunity to comment upon and provide input on the proposed rule amendment at a public hearing on May 21, 2007 at the EPD Training Room, 4244 International Parkway, Suite 116, Atlanta, GA.

## 2. CREATION OF LAND USE PLAN

Larry Leitgeb came forward and asked to be kept informed of the progress of the Land Use Plan.

Administrator Hampton stated that Georgia Law requires certain procedures to be followed when considering a Land Use Plan. All of the requirements will be met by the Commissioners prior to adoption of a Land Use Plan.

## 3. REQUEST FOR REIMBURSEMENT OF E911 ADDRESS EXPENSES

Administrator Hampton stated that a citizen has requested reimbursement of her expense in posting an E911 address, which has now changed.

County Attorney Ranck stated that the County is not under any legal obligation to refund any expenses incurred in address signage, but it is a decision of the Commission. His concern is that if the County reimburses one, it will be setting precedence for all. He advised against this action.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to deny approval of any reimbursement requests for address signage.

**Motion carried unanimously.**

## VIII. EXECUTIVE SESSION

County Attorney Ranck requested an Executive Session in order to discuss a possible litigation issue.

A motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn to Executive Session.

**Motion carried unanimously.**

**IX. ADJOURNMENT**

After discussion, a motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn to Regular Session.

**Motion carried unanimously.**

There being no further business, a motion was made by Commissioner Anderson, seconded by Commissioner Andrews, to adjourn.

**Motion carried unanimously.**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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Kenneth Peeples, Chairman

Attest:

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Donna L. Patterson, County Clerk